

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-2426

VIVIAN A. UMEUGO,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A79-319-492)

Submitted: May 18, 2005

Decided: June 8, 2005

Before NIEMEYER, LUTTIG, and TRAXLER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Emmanuel D. Akpan, J.D., Ph.D., Silver Spring, Maryland, for Petitioner. Peter D. Keisler, Assistant Attorney General, Allen W. Hausman, Senior Litigation Counsel, Ari Nazarov, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Vivian Amuche Umeugo, a native and citizen of Nigeria, petitions for review of an order of the Board of Immigration Appeals (Board) affirming the immigration judge's denial of a motion to reopen. Umeugo sought rescission of a final order of removal entered in absentia. She claimed reopening was warranted because her absence was due to exceptional circumstances beyond her control. We deny the petition for review.

We review the Board's denial of a motion to reopen for abuse of discretion. 8 C.F.R. § 1003.2(a) (2004); INS v. Doherty, 502 U.S. 314, 323-24 (1992); Yanez-Popp v. INS, 998 F.2d 231, 234 (4th Cir. 1993). A denial of a motion to reopen must be reviewed with extreme deference, since immigration statutes do not contemplate reopening and the applicable regulations disfavor motions to reopen. M.A. v. INS, 899 F.2d 304, 308 (4th Cir. 1990) (en banc). We find the Board did not abuse its discretion.

Accordingly, we deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED